**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**SPECIAL CIVIL APPLICATION No. 6005 of 1986**

**For Approval and Signature:**

**HONOURABLE MR.JUSTICE R.S.GARG**
**HONOURABLE MR.JUSTICE M.R. SHAH**

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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**M/S. MATULYA MILLS LTD. & 1 - Petitioner(s)**
**Versus**
**UNION OF INDIA & 1 - Respondent(s)**

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**Appearance :**
None for Petitioner(s) : 1 - 2.
SERVED BY RPAD - (N) for Respondent(s) : 1,
for Respondent(s) : 2,

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**CORAM : HONOURABLE MR.JUSTICE R.S.GARG**

**and**

**HONOURABLE MR.JUSTICE M.R. SHAH**

**Date : 15/06/2006**

**ORAL JUDGMENT**

**(Per : HONOURABLE MR.JUSTICE R.S.GARG)**

From the records, it appears that nobody

appeared for the petitioners, therefore, this Court directed that notices be issued to the petitioners. The office report shows that the notices could not be served upon the petitioners as they are not traceable, so also the petitioner no.1 company is found closed. Under the circumstances, we tentatively hold that it is impossible to serve the petitioners and it is also not possible to decide the petition on merits in absence of the petitioners. Under the circumstances, we dismiss the petition with liberty in favour of the petitioners that if they are still aggrieved by the action taken by the respondents and the provisions contained in the law, then, they would be entitled to make an application for restoration of this petition. Rule is discharged with no order as to costs. Interim relief, if any, stands vacated.

**[R.S. GARG, J.]**

**[M.R. SHAH, J.]**

**pirzada/-**